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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number

10/821,001

Filing Date

April 7, 2004

First Named Inventor

Peter Palese

Group Art Unit

1648

Examiner Name

Unassigned

Total Number of Pages in This Submission

Attorney Docket Number

26-003710US

## ENCLOSURES (check all that apply)

- ☐ Fee Transmittal Form
  - ☐ Fee Attached
- ☐ Amendment / Response
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/Incomplete Application
  - ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Small Entity Statement
- ☐ Request for Refund

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Additional Enclosure(s) (please identify below):

IDS Cover Letter (copy from parent); PTO 1449 Forms; receipt acknowledgment postcard

### Authorization to Charge Deposit Account

Please charge Deposit Account No. 50-0893 for any additional fees associated with this paper or during the pendency of this application, including any extensions of time for consideration of the documents enclosed.

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Paul Littlepage, Reg. No. 48,581, Quine Intellectual Property Law Group, P.C.

Signature

Date

October 14, 2004

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QUINE INTELLECTUAL PROPERTY LAW GROUP, P.C.

By

Amelia Weintraub  
Amelia Weintraub

Attorney Docket No. 26-003710US  
Client Ref. No. NS104D1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Peter Palese, et al.

Application No.: 10/821,001

Filed: April 7, 2004

For: RECOMBINANT NEGATIVE  
STRAND RNA VIRUS EXPRESSION  
SYSTEMS AND VACCINES

Confirmation No. 9293

Examiner: Unassigned

Art Unit: 1648

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR § 1.97 and  
§ 1.98

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on the attached PTO-1449 form are being called to the attention of the Examiner to make of record references cited in parent application USSN 09/396,539 filed September 14, 1999. Pursuant to 37 CFR § 1.98(d), copies of references cited in parent application USSN 09/396,539 filed September 14, 1999 are not provided. However the applicants will gladly provide fresh copies of any references requested by the Examiner.

It is respectfully requested that the cited information on the attached 1449 form(s) be expressly considered during the prosecution of this application, and that references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

Peter Palese, et al.

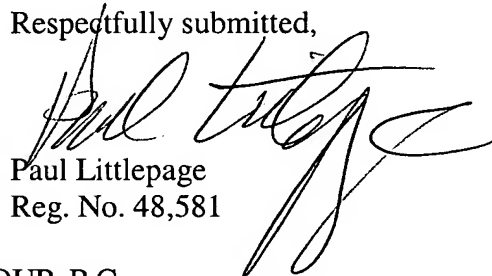
Application No.: 10/821,001

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Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 50-0893. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,

  
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<b>Substitute for form 1449A-B/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(use as many sheets as necessary)</i>	<b>Complete if Known</b>	
	Application Number	<b>10/821,001</b>
	Filing Date	<b>April 7, 2004</b>
	First Named Inventor	<b>Peter Palese</b>
	Group Art Unit	<b>1648</b>
	Examiner Name	<b>Unassigned</b>
	Attorney Docket Number	<b>26-003710US</b>
Date Submitted	<b>October 14, 2004</b>	

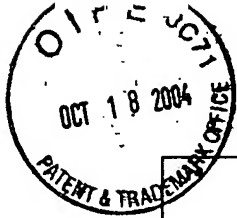
U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, lines, Where Relevant Passages or Relevant Figures Appeal
		Number	Kind Code (if known)			
	AA	6,544,785		Palese et al.	04-08-2003	
	AB	5,166,057		Palese et al.	11-24-1992	
	AC	5,854,037		Palese et al.	12-29-1998	
	AD	6,001,634		Palese et al.	12-14-1999	

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Examiner Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Office	Number	Kind Code (if known)				

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T	

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## LIST OF REFERENCES CITED BY APPLICANT

(Use several sheets if necessary)

ATTY. DOCKET NO.

7682-048 26-003710 US

SERIAL NO.

10/821,001

08/306,630

APPLICANT

Palese, P. and Garcia-Sastre, A.

FILING DATE

April 7, 2004

September 14, 1999

GROUP

1636 1648

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	39	4,786,600	11/22/88	Kramer et al.			
	82	EP-A-O 702 085					
	83	EP-A-O 780 475					
	84	WO-A-9 712 032					
	102	WO 97/06270					
	106	WO 98/13501					

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							YES	NO

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112	Opposition to European Patent No. 0490972 filed on behalf of American Cyanamid Company
113	Patentee's Response to Notice of Opposition, dated March 14, 1997
114	Opponent's Observations, dated October 17, 1997
115	Patentee's Response to Opponent's Observations
116	Desselberger's Declaration
117	Jin's Declaration
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	123	Interlocutory Decision in Opposition Proceedings of Eurpoean Patent No. 0490972
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EXAMINER		DATE CONSIDERED
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Palese, P. and Garcia-Sastre, A.

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EXAMINER

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